

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2003-016563-002 DT

03/12/2004

HON. KAREN L. O'CONNOR

CLERK OF THE COURT
A. Moore
Deputy

FILED: 03/19/2004

STATE OF ARIZONA

SHERI FREEMONT

v.

ROY RAYMOND WATROUS (002)
DOB: 11/25/1954
Booking No.: A947401

JOHN JUSTIN MCGUIRE

CORRECTIONAL HEALTH SERVICES
COURT FORENSIC SERVICES UNIT
VICTIM SERVICES DIV-CA-CCC
JACK POTTS, M.D.
221 E INDIANOLA
PHOENIX AZ 85012

NOTICE OF APPOINTMENT DIAGNOSTIC EVALUATION AND MENTAL HEALTH
EXAMINATION RULE 26.5

Upon written motion of defense,

IT IS ORDERED appointing Dr. Jack Potts to examine the Defendant at the earliest possible date in conformity with this Notice of Appointment.

IT IS FURTHER ORDERED counsel shall provide the doctor with copies of the police reports and all other medical and criminal history records for the examination within three (3) judicial days of this date.

The exam to be held at the Maricopa County Jail as the Defendant is presently in custody at Madison Street Jail, Booking Number A947401.

The Defendant is charged with the crimes of Count I: Possession of Dangerous Drugs for Sale; Count II: Possession of Narcotic Drugs; Count III: Possession of Marijuana; Counts VI and VII: Possession of Drug Paraphernalia, committed on or about June 25, 2003.

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

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03/12/2004

IT IS FURTHER ORDERED that the doctor submit a report to this Court, Judge Karen O'Connor; 201 W. Jefferson; Suite 12D; Phoenix, Arizona 85003 no later than two days prior to the sentencing.

IT IS FURTHER ORDERED that the mental health expert shall address the following issues:

1. The mental status of the Defendant at the time of the offense; and,
2. If the Defendant suffered from a mental disease, defect, or disability at the time of the offense, also include the relationship of the disease, defect or disability to the alleged offense.
3. Whether or not, as of the time the crime was committed, the Defendant's capacity of appreciating the wrongfulness of his/her conduct or conforming his/her conduct to the requirements of law was significantly impaired, but not so impaired as to constitute a defense to prosecution;
4. The Defendant's ability to be rehabilitated;
5. If Defendant can be rehabilitated, the recommended place, form and term of the rehabilitation treatment; and,
6. Whether Defendant is a danger to self, others and/or the community and the best method of controlling that danger.

NOTICE: IF THE EXPERT IS ARE UNABLE TO MEET THE SCHEDULE SET HEREIN, NOTIFY THIS COURT AT (602-506-0428) IMMEDIATELY SO THAT OTHER ARRANGEMENTS CAN BE MADE.

IT IS FURTHER ORDERED that payment for the examination of the Defendant will be the responsibility the Court.

IT IS FURTHER ORDERED vacating the sentencing set for 3/23/2004 and resetting same for 4/28/2004 at 8:30 a.m. in this division.

IT IS FURTHER ORDERED that defense counsel shall review and excise the written report of the expert at least 24 hours in advance of the time set for the hearing.

Defendant is presently in custody. If the Defendant is released prior to the examination taking place,

IT IS FURTHER ORDERED directing defense counsel to immediately upon Defendant's release contact the Mental Health Expert to schedule a time for Defendant's examination.

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2003-016563-002 DT

03/12/2004

Defense counsel is to accompany the Defendant to the examination or otherwise insure the Defendant's attendance at the examination.

IT IS FURTHER ORDERED affirming prior custody orders.